UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,466	11/07/2001	Andrew Edward White	CR1087AC	3696

22917   7590   12/31/2003

MOTOROLA, INC.
1303 EAST ALGONQUIN ROAD
IL01/3RD
SCHAUMBURG, IL 60196

EXAMINER
MAHMOUDI, HASSAN

ART UNIT	PAPER NUMBER
2175	

DATE MAILED: 12/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *2* .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 25 and 26 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 25 recites the limitation "a method as claimed in claim 23" in line 1. There is insufficient antecedent basis for these limitations in the claim since claim 23 does not recite a "method". For the purpose of examination, the examiner is making the assumption that claim 25 was meant to recite "a claim requesting machine" instead of "a method" in line 1. Correction is required.

Claim 26 recites the limitation "a method as claimed in claim 24" in line 1. There is insufficient antecedent basis for these limitations in the claim since claim 24 does not recite a "method". For the purpose of examination, the examiner is making the assumption that claim 26 was meant to recite "a claim requesting machine" instead of "a method" in line 1. Correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al (U.S.

Publication No. 20020083008A1) in view of Ahmad (U.S. Patent No. 5,925,127.)

As to claim 1, Smith et al teaches a method for validating that an identifier is unique (see

Abstract) within an ad-hoc network of machines (see figure 1), the identifier being associated

with an application for execution on one or more of the machines (see paragraphs 36 and 38),

the method comprising the steps of:

obtaining the identifier (see paragraph 23);

sending a claim request for the identifier to at least one machine in the network of

machines (see paragraphs 23 and 27); and

validating the identifier as unique to the application (see paragraphs 28, 30, and see claim

15) if an invalidation message is not received (see paragraphs 16 and 30.)

Smith et al does not teach predefined time period; and the invalidation message being

indicative of the identifier being allocated to one of the machines.

Ahmad teaches a system and method for monitoring the use of rented software (see

Abstract), in which he teaches predefined time period (see column 8, lines 54-64); and the

invalidation message being indicative of the identifier being allocated to one of the machines (see column 3, lines 45-61, and see column 12, lines 43-53.)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified <u>Smith et al</u> to include predefined time period; and the invalidation message being indicative of the identifier being allocated to one of the machines.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified <u>Smith et al</u> by the teachings of <u>Ahmad</u>, because setting predefined time period; and the invalidation message being indicative of the identifier being allocated to one of the machines, enables the system to flag duplicate ids and ensure that the user ids are indeed unique and that no more than one user is assigned the unique identifier for the duration of the predefined time period.

As to claims 2, 13, and 24, <u>Smith et al</u> as modified teaches wherein the network is a multi-link network (see <u>Smith et al</u>, figure 1, and see claim 30.)

As to claims 3-4, 14-15, and 25-26, <u>Smith et al</u> as modified teaches the method further characterized by a number of operative machines on the network being unknown (see <u>Smith et al</u>, paragraphs 12-13, where "unknown" is read on "one or more", and see paragraph 38.)

As to claims 5 and 16, <u>Smith et al</u> as modified teaches wherein the step of sending is repeated at least once (see <u>Smith et al</u>, paragraph 22 and see claim 30) within the predefined time period (see <u>Ahmad</u>, column 4, lines 23-53, and see column 13, lines 30-37.)

As to claims 6 and 17, <u>Smith et al</u> as modified teaches the method further characterized by the identifier being validated (see <u>Smith et al</u>, paragraph 21) as unique for a pre-defined duration (see <u>Ahmad</u>, column 10, lines 14-34.)

As to claims 7, 11, 18, and 22, <u>Smith et al</u> as modified teaches wherein the step of sending is characterized by at least one of the machines receiving the claim request and thereafter propagating the claim request to at least one other of the machines (see <u>Smith et al</u>, claim 10, where request for id is received from a user and the encrypted request is transferred to a verification site.)

As to claims 8 and 19, <u>Smith et al</u> as modified teaches wherein the claim request is provided in a claim requesting message that includes the identifier (see <u>Smith et al</u>, paragraph 16) and information identifying the application (see <u>Ahmad</u>, column 16, lines 9-24.)

As to claims 9 and 20, <u>Smith et al</u> as modified teaches wherein the validating step is further characterized by one of the machines, operating as a receiving machine (see <u>Smith et al</u>, claim 10, where "receiving machine" is read on "verification site"), providing the

invalidation message if upon receipt of the claim request the receiving machine has a prior claim to the identifier (see <u>Ahmad</u>, column 3, lines 45-61, and see column 12, lines 43-53.)

As to claims 10 and 21, <u>Smith et al</u> as modified teaches wherein the validating step is further characterized by the invalidation message (see <u>Ahmad</u>, column 3, lines 45-61, and see column 12, lines 43-53) being routed to the claim requesting machine by use of network addresses (see <u>Ahmad</u>, column 7, lines 53-64, where "network address" is read on "URL".)

As to claim 12, <u>Smith et al</u> teaches a method for validating that an identifier is unique (see Abstract) within an ad-hoc network of machines (see figure 1), the identifier being associated with an application for execution on one or more of the machines (see paragraphs 36 and 38), the method comprising the steps of:

obtaining the identifier (see paragraph 23);

sending a claim request for the identifier from a claim requesting machine, that is one of the machines, to at least one other machine in the network of machines (see paragraphs 23 and 27, also see claim 10); and

validating the identifier as unique to the application (see paragraphs 28, 30, and see claim 15) if the requesting machine does not receive an invalidation message (see paragraphs 16 and 30.)

<u>Smith et al</u> does not teach predefined time period; and the invalidation message being indicative of the identifier being allocated to one of the machines.

Ahmad teaches a system and method for monitoring the use of rented software (see Abstract), in which he teaches predefined time period (see column 8, lines 54-64); and the invalidation message being indicative of the identifier being allocated to one of the machines (see column 3, lines 45-61, and see column 12, lines 43-53.)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Smith et al to include predefined time period; and the invalidation message being indicative of the identifier being allocated to one of the machines.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Smith et al by the teachings of Ahmad, because setting predefined time period; and the invalidation message being indicative of the identifier being allocated to one of the machines, enables the system to flag duplicate ids and ensure that the user ids are indeed unique and that no more than one user is assigned the unique identifier for the duration of the predefined time period.

As to claim 23, Smith et al teaches a claim requesting machine (see paragraph 27) for operation in an ad-hoc network of machines (see figure 1), wherein in use the claim requesting machine effects the steps of:

obtaining an identifier for an application associated with the claim requesting machine;

sending a claim request for to at least one other machine in the network of machines; and

validating the identifier as unique to the application if the requesting machine does not

receive an invalidation message within a predefined time period, the invalidation message

being indicative of the identifier being allocated to one of the machines (for the teachings of

the above steps, the applicant is kindly directed to the remarks and discussions made for

claims 1 and 12 above.)

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

The following patents are cited to further show the state of art with respect to methods

and systems of verifying/validating the uniqueness of identifiers in general:

Patent/Pub. No.	Issued to	Cited for teaching
US006195732B1	Adams et al.	Unique identification request and processing.
US 20020174162A1	Perks et al.	Unique identifiers in Networks.

6.   Any inquiries concerning this communication or earlier communications from the examiner

should be directed to Tony Mahmoudi whose telephone number is (703) 305-4887. The

examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Dov Popovici, can be reached at (703) 305-3830.

tm

December 17, 2003

SAM RIMELL
PRIMARY EXAMINER